

Introduced by Senator SherFebruary 12, 2003

An act to amend Section 398.5 of the Public Utilities Code, relating to electricity.

LEGISLATIVE COUNSEL'S DIGEST

SB 185, as introduced, Sher. Electricity: source disclosure.

The existing Public Utilities Act, provides for the furnishing of utility services, including electricity, by privately owned public utilities subject to the jurisdiction and control of the Public Utilities Commission and similar services by publicly owned public utilities. Existing law establishes a program under which entities offering electric services disclose accurate, reliable, and simple to understand information on the generation attributes of the electricity they propose to sell, and requires beginning March 1, 1999, and annually thereafter, that certain electricity source information be reported to the California Energy Resources Conservation and Development Commission (Energy Commission).

This bill would require that beginning April 1, 2004, and annually thereafter, that retail suppliers report the information to the Energy Commission.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 398.5 of the Public Utilities Code is
- 2 amended to read:



1 398.5. (a) Retail suppliers that disclose specific purchases
2 pursuant to Section 398.4 shall report on ~~March 1, 1999~~ *April 1,*
3 *2004*, and annually thereafter, to the California Energy Resources
4 Conservation and Development Commission, for each electricity
5 offering, for the previous calendar year each of the following:

6 (1) The ~~kilowatthours~~ *kilowatt-hour* purchased, by generator
7 and fuel type during the previous calendar year, consistent with the
8 meter data, including losses, reported to the system operator.

9 (2) For each electricity offering the ~~kilowatthours~~
10 *kilowatt-hour* sold at retail.

11 (3) For each electricity offering the disclosures made to
12 consumers pursuant to Section 398.4.

13 (b) Information submitted to the California Energy Resources
14 Conservation and Development Commission pursuant to this
15 section that is a trade secret as defined in subdivision (d) of Section
16 3426.1 of the Civil Code shall not be released except in an
17 aggregated form such that trade secrets cannot be discerned.

18 (c) On or before January 1, 1998, the California Energy
19 Resources Conservation and Development Commission shall
20 specify guidelines and standard formats, based on the
21 requirements of this article and subject to public hearing, for the
22 submittal of information pursuant to this article.

23 (d) In developing the rules and procedures specified in this
24 section, the California Energy Resources Conservation and
25 Development Commission shall seek to minimize the reporting
26 burden and cost of reporting that it imposes on retail suppliers.

27 (e) On or before October 15, 1999, and annually thereafter, the
28 California Energy Resources Conservation and Development
29 Commission shall issue a report comparing information available
30 pursuant to Section 398.3 with information submitted by retail
31 suppliers pursuant to this section, and with information disclosed
32 to consumers pursuant to Section 398.4. This report shall be
33 forwarded to the California Public Utilities Commission.

34 (f) Beginning April 15, 1999, and annually thereafter, the
35 California Energy Resources Conservation and Development
36 Commission shall issue a report calculating net system power. The
37 California Energy Resources Conservation and Development
38 Commission will establish the generation mix for net generation
39 imports delivered at interface points and metered by the system
40 operators. The California Energy Resources Conservation and

1 Development Commission shall issue an initial report calculating
2 preliminary net system power for calendar year 1997 on or before
3 January 1, 1998. This report shall be updated on or before October
4 15, 1998.

5 (g) The provisions of this section shall not apply to generators
6 providing electric service onsite, under an over-the-fence
7 transaction as described in Section 218, or to an affiliate or
8 affiliates, as defined in subdivision (a) of Section 372.

9 (h) The California Energy Resources Conservation and
10 Development Commission may verify the veracity of
11 environmental claims made by retail suppliers.

